

**Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, January 10, 2005 at 7:00 PM**

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux, and Daniel Morgado, Town Manager. Mr. DePalo called the meeting to order at 7:03pm.

Preliminaries:

1. Approve bills, payrolls and warrants #0553 in the amount of \$302,403.39, and #0556 in the amount of \$979,955.72.
2. Approve minutes January 3, 2005. Motion made, seconded and unanimously approved.
3. Announcements – Mr. DePalo announced that he had been advised today that Ellen Weingart, long time local reporter for the Telegram & Gazette, would no longer be covering the town. A full time reporter has been assigned to Shrewsbury. Ellen's fair and common sense reporting will be missed. The Board wished her well in her future endeavors.
4. Town Manager's Report - Nothing other than what is on the agenda.

Meetings:

- 4a. State Senator Edward Augustus. Senator Augustus was present. Mr. DePalo congratulated him on his recent election to the State Senate. The Senator thanked the Board and the people of Shrewsbury for their support. He outlined the goals he wished to accomplish during his term. At this point he is unaware of his committee assignments and added that he would be in line for a chairmanship and a vice chairmanship. He advised the Board that he looked forward to attending the annual legislative workshop with Congressman McGovern and Rep. Polito and hoped he would have more to report at that time. Mr. DePalo thanked Senator Augustus for coming in and wished him well as he starts his term of office.

Public Hearings:

5. 7:15pm – Bugaboo Creek Holdings, Inc. d/b/a Bugaboo Creek Steak House, White City Plaza, 50 Boston Turnpike, new president/corporate officer, Kristin R. Nyhof, for All Alcohol Beverages Restaurant and Common Victualler's Licenses. Hours of operation Monday to Saturday 11:00am to 1:00am, Sunday 12:00 noon to 1:00am. Barry Gerstein, attorney for Bugaboo Creek Steak House, was present. Mr. DePalo reviewed the application and asked Mr. Gerstein to explain the reasons for the application. Mr. Gerstein advised that the current president had retired and a new president, Kristin Nyhof, had been elected by the board of directors. No other changes will take place. Mr. DePalo opened the hearing to the public and as there was no public comment, motion was made seconded and unanimously voted to close the hearing. Motion was made to approve the application of Bugaboo Creek holdings, Inc. d/b/a Bugaboo Creek Steak House for a new president/corporate officer. Motion was seconded and unanimously approved.
6. 7:30pm – J. Laurence Ciccolo d/b/a Papa's Catering, 530 Boston Turnpike, J. Laurence Ciccolo, owner, Common Victualler's License for catering truck at Home Depot. Hours of operation: Sunday to Saturday 7:00am to 7:00pm. Mr. Ciccolo was present. Mr. DePalo reviewed the application and advised that all reports from department heads and CORI report were favorable. He asked Mr. Ciccolo to explain his business plan. Mr. Ciccolo advised the Board that he had previously operated the Miss Worcester Diner and would like to operate a lunch cart type business at the Home Depot replacing the current operation at this location. He explained that his vehicle would be larger and have a full kitchen so that he could offer complete meals. He added that he hoped to begin operation by the third week in March. Mr. DePalo opened the hearing to the public and as there was no public comment, motion was made seconded and unanimously voted to close the hearing. Motion was made, seconded and unanimously voted to approve the application as stated of J. Laurence Ciccolo d/b/a Papa's Catering for a Common Victualler's License subject to ZBA restrictions of 9/13/00.

Old Business:

7. Sign Special Town Meeting Warrant Mr. Morgado advise the Board that Article 2 would be dropped to avoid confusion and Article 7 was new this evening. This Article is relative to the 52 Holden Street property. As no bids have been received for this property in spite of three offerings. This Article would allow the Town to proceed with a home rule petition which would allow the sale of the property through public auction. There also will be an additional Article to allow transfer of funds to cover expenses associated with the work currently being done on the municipal water system at the intersection of North and South Quinsigamond Avenues and Boston Turnpike. This would be a change order to the current Lynch contract. Motion was made, seconded and unanimously voted to sign the Special Town Meeting Warrant.

New Business:

8. Reappoint Richard Ricker to the Shrewsbury Development Corporation for a term of five years expiring on January 31, 2010. Motion was made, seconded and unanimously voted to approve the reappointment of Richard Ricker to the SDC for a term of five years expiring on January 31, 2010.
9. Additional Article for Special Town Meeting. Reviewed as part of #7 Old Business.

Executive Session:

10. Collective bargaining and value of real property. Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:25pm and not to reconvene for the purpose of discussion of value of real property and pending litigation. The Board was polled, Mr. Card, yes, Mr. Lebeaux, yes, Mr. Fiore, yes, Mr. Hammond, yes, and Mr. DePalo, yes.

Communications:

11. Noted copy mailed: memo from Supt. John Knipe re Snow Storm Report December 26 & 27, 2004.
12. Noted copy mailed: Documents sent to EPA Sec. Herzfelder from Thompson-Liston Associates re Adams Farm Senior Housing Site Plan requesting Phase One Waiver for project. (complete package on file in office)
13. Noted copy mailed: Environmental Notification Form (ENF) sent to EPA Sec. Herzfelder from Thompson-Liston Associates re Adams Farm Senior Housing Site Plan. (complete document on file in office)
14. Noted copy mailed: Letter from William Yeomans, 52 Grafton Street, re Allen Farm. In support of SDC position on farming.
15. Noted copy mailed: School Committee Meeting Minutes, 11/3/04, 11/17/04 and 12/1/04.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:25pm and not to reconvene for the purpose of discussing value of real property and pending litigation. On a roll call vote Mr. Card, yes, Mr. Lebeaux, yes, Mr. Fiore, yes, Mr. Hammond, yes, and Mr. DePalo, yes.

Respectfully submitted,

Janice C. McCoy
Secretary